

OCT 09 2002

Dkt. 61010-AB-1/JPW/MAF/DJK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tatjana Dragic and William C. Olson

Serial No.: 10/086,814 Group Art Unit: Unknown

Filed : February 28, 2002 Examiner: Unknown

For : Sulfated CCR5 Peptides for HIV-1 Infection

1185 Avenue of the Americas
New York, New York 10036
October 3, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: Box Missing Parts

Sir:

**COMMUNICATION IN RESPONSE TO APRIL 3, 2002
NOTICE TO FILE MISSING PARTS OF APPLICATION
AND PETITION FOR FOUR-MONTH EXTENSION OF TIME**

This Communication is submitted in response to a Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. § 1.53 (b) ["the Notice"] issued by the United States Patent and Trademark Office in connection with the above-identified application on April 3, 2002. The Notice requires the filing of a signed oath or declaration and payment of a late filing fee or oath or declaration surcharge. The Notice additionally requires Applicants to comply with the requirements for patent applications containing nucleotide sequences and/or amino acid sequences. A copy of the Notice is enclosed as **Exhibit A**.

The deadline for responding to the Notice was originally June 3, 2002. Applicants hereby petition for a four-month extension of time for filing, respectively, (1) the present Communication In Response To April 3, 2002 Notice To File Missing Parts Of Application, and (2) an Amendment In Compliance With Requirements For Patent Applications Containing Nucleotide Sequences and/or

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01 PCP:05
02 FC:218

65.00 OP
720.00 OP

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Amino Acid Sequences Set Forth In April 3, 2002 Notice To File Missing Parts of Application in response to the Notice in this case. This Communication is addressed as shown above. The Amendment, however, which is being filed on the same date as the Communication, is being filed under separate cover addressed to: Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Post Office Box 2327, Arlington, VA 22202, Attn: Box Sequence. The required fee for a four month extension of time for a Small Entity is \$720.00 and a check including this amount is enclosed herewith. Therefore, the (1) Communication and (2) the Amendment are now due on October 3, 2002. Accordingly, these two responses are being timely filed.

Applicants submit herewith as **Exhibit B** a Declaration and Power of Attorney executed by both of the named co-inventors, pursuant to 37 C.F.R. § 1.51 and in compliance with 37 C.F.R. § 1.63. The Declaration refers to the application's serial number and filing date. The surcharge due under 37 C.F.R. § 1.16 (1) for filing the Declaration and Power of Attorney in response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53 (b) is \$65.00 for a small entity. A check including this amount is enclosed herewith.

Applicants also submit herewith, as **Exhibits C**, a Verified Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. § 1.9 (f) and § 1.27 (d) - Nonprofit Organization, executed by a representative of Aaron Diamond AIDS Research Centre (ADARC) No fee is due with this submission.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

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As stated above, a \$720.00 fee for a four month extension of time, and a \$65.00 surcharge for late submission of the executed Declaration and Power of Attorney are believed to be due in this case. Thus, a check in the amount of \$785.00, covering both of these fees, is enclosed herewith. No other fee is believed to be due. Should any additional fee(s) be required, however, authorization is hereby given to charge the required amount to Deposit Account 03-3125.

Respectfully submitted,

Mark A. Farley

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Mark A. Farley 10-2-02

John P. White Date
Reg. No. 28,678
Mark A. Farley
Reg. No. 33,170

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